

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION**

LEWIS COSBY and KENNETH R. MARTIN,)	
as beneficiary of the Kenneth Ray Martin Roth)	
IRA, and MARTIN WEAKLEY on behalf of)	
themselves and all others similarly situated,)	CLASS ACTION
)	
Plaintiffs,)	JURY TRIAL DEMANDED
)	
v.)	No. 3:16-cv-00121
)	
KPMG, LLP,)	
)	
Defendant.)	

JOINT MOTION TO EXCEED PAGE LIMITATION

Plaintiffs Lewis Cosby, Kenneth R. Martin, as beneficiary of the Kenneth Ray Martin Roth IRA, and Martin Weakley, and Defendant KPMG, LLP (“KPMG”), jointly move this Court to enter an order permitting KPMG to exceed the page limitation in its memorandum of law in support of its Motion to Dismiss the Second Amended Complaint, due October 20, 2017, and permitting the Plaintiffs to exceed the page limitation in any response to KPMG’s Motion to Dismiss the Second Amended Complaint. In support of this motion, the parties would show as follows:

1. On August 29, 2017, the Court entered an Amended Scheduling Order permitting Plaintiffs to file their Second Amended Complaint. (Docket No. 57).
2. Plaintiffs filed their Second Amended Complaint on September 15, 2017.
3. Under the Amended Scheduling Order, KPMG is permitted to file its Answer or Motion to Dismiss the Second Amended Complaint by October 20, 2017.
4. KPMG anticipates filing a Motion to Dismiss the Second Amended Complaint.

5. Local Rule 7.1(b) provides that briefs “shall not exceed 25 pages in length unless otherwise ordered by the Court.”

6. The parties have conferred and agree that it is in both their respective interests and in the interest of fairness for KPMG to be bound to a page limit of forty (40) pages for its Motion to Dismiss the Second Amended Complaint.

7. The parties have conferred and agree that it is in both their respective interests and in the interest of fairness for Plaintiff to be bound by a page limit of forty (40) pages for their response to KPMG’s Motion to Dismiss the Second Amended Complaint.

8. Good cause exists for the parties’ briefing to exceed the page limitation provided in Local Rule 7.1(b) in light of the complexity of this action.

WHEREFORE, for the foregoing reasons, Plaintiffs and KPMG jointly move this Court to enter an Order (i) granting KPMG leave to file a memorandum of law in support of its Motion to Dismiss the Second Amended Complaint in excess of the page limit provided for in Local Rule 7.1(b), but not to exceed forty (40) pages; and (ii) granting leave for Plaintiffs to file a memorandum of law in support of their response to KPMG’s Motion to Dismiss the Second Amended Complaint in excess of the page limit provided for in Local Rule 7.1(b), but not to exceed forty (40) pages. A proposed order is attached as Exhibit A.

Respectfully submitted,

s/ Gordon Ball (w/ permission)

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document has been served on this 12th day of October, 2017, via the Court's Electronic Case Filing system upon the following:

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